

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CORBIS CORPORATION,

Plaintiff,

v.

JACKALUS AVIATION CONSULTANTS,
INC.,

Defendants.

NO. C05-835P

ORDER OF DISMISSAL

This matter comes before the Court on Defendants' Motion to Dismiss or, in the Alternative, Motion to Transfer the Action. (Dkt. No. 6). The Motion was originally noted for July 15, 2005, but Defendants re-noted the motion for July 29, 2005. (Dkt. No. 7). No response to this motion has been received by the Court from Plaintiff in this case. Defendants allege that this matter was improperly brought before this Court and that no defendants reside in Washington state, nor are they subject to this Court's jurisdiction. A District Court may either dismiss a case filed in the improper venue or, if justice requires, transfer the case to the proper venue for the action. 28 U.S.C. §1406(a). Because Plaintiff has not opposed this action and shown that justice requires a transfer of this case to another Court, nor has Plaintiff countered Defendants' allegations that venue is improper in the Western District of Washington, this case is hereby DISMISSED without prejudice for improper venue.

The clerk is directed to send copies of this order to all counsel of record.

Dated: August 8th, 2005.



Marsha J. Pechman
United States District Judge